

AISHA K. BROSNAN (AB 5986)  
BRODY, O'CONNOR & O'CONNOR, ESQS.  
Attorneys for Defendant  
7 Bayview Avenue  
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WM 22-574 AB  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
WILLIAM WHITE and YVETTE WHITE,

Docket No.:

Plaintiff,

-against-

**NOTICE OF REMOVAL**

WAL-MART STORES EAST, LP and WALMART  
INC., individually and doing business as WALMART,

Defendants.

-----X

**TO THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK:**

Defendant, WAL-MART STORES EAST, LP and WALMART INC., individually and doing business as WALMART, for the removal of this action from the Supreme Court of the State of New York, County of ORANGE to the United States District Court for the Southern District of New York, respectfully shows this Honorable Court:

FIRST: Defendant, WAL-MART STORES EAST, LP and WALMART INC., individually and doing business as WALMART, is a defendant in a Civil action brought against it in the Supreme Court of the State of New York, County of ORANGE, entitled:

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

-----X

WILLIAM WHITE and YVETTE WHITE,

**Index No.: EF003509-2022**

Plaintiff,

-against-

WAL-MART STORES EAST, LP and WALMART  
INC., individually and doing business as WALMART,

Defendants.

-----X

Copies of the Summons, the Complaint, and WAL-MART STORES EAST, LP and WALMART  
INC., individually and doing business as WALMART's Answer are annexed hereto as Exhibit A.

SECOND: That this action seeks recovery for damages sustained as a result of  
personal injuries allegedly suffered by the plaintiff while on the defendant's premises.

THIRD: The grounds for removal are that this Court has original jurisdiction  
pursuant to 28 § 1332(a)(1). The amount in controversy exceeds the sum or value of \$75,000,  
exclusive of interests and costs, and is between citizens of different States.

FOURTH: The defendant, WAL-MART STORES EAST, LP, is a Delaware limited  
partnership with its corporate headquarters and principal place of business in Arkansas. WSE  
Investment, LLC, is the limited partner of WAL-MART STORES EAST, LP, and WSE  
Management, LLC is the General Partner. Both are Delaware companies with their principal places  
of business in Arkansas. The sole member of both limited liability companies is Wal-Mart Stores  
East, LLP. Wal-Mart Stores East, LLP. is a citizen of Arkansas. It is incorporated in Arkansas and  
its principal place of business is in Arkansas. Thus, for diversity purposes, the defendant is a citizen

of Arkansas. See Carden v. Arkoma Assocs., 494 U.S. 185, 195-96, 110 S.Ct. 1015, 108 L.Ed.2d 157 (1990) (stating that, for purposes of diversity jurisdiction, limited partnerships have the citizenship of each of its general and limited partners); Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7th Cir.1998) (stating that, for purposes of diversity jurisdiction, a limited liability company has the citizenship of its members).

FIFTH: That upon information and belief Plaintiff is a citizen of the State of New York, County of ORANGE.

SIXTH: In that this action is between citizens of different states and seeks damages in excess of \$75,000.00, than pursuant to 28 U.S.C.A. § 1332 and 28 U.S.C.A. § 1441 and § 1446 the case should be removed from the Supreme Court of the State of New York, County of ORANGE to the United States District Court for the Southern District of New York.

Dated: Northport, New York  
August 26, 2022

Yours, etc.

BRODY, O'CONNOR & O'CONNOR, ESQS.  
Attorneys for Defendant

By:

  
AISHA K. BROSNAN (AB 5986)  
Attorneys for Defendant  
7 Bayview Avenue  
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(631) 261-7778

TO: MORGAN & MORGAN NY PLLC  
Attorneys for Plaintiffs  
350 Fifth Avenue, Suite 6705  
New York, New York 10118  
(917) 344-7032

**AFFIDAVIT OF MAILING**

STATE OF NEW YORK      )  
                                  ) ss:  
COUNTY OF SUFFOLK      )

DANIELLE INFANGER, being duly sworn, deposes and says:

That your deponent is not a party to this action, is over 18 years of age and resides at Huntington, New York.

That on the 26<sup>th</sup> day of August, 2022, deponent served the within NOTICE OF REMOVAL

UPON:

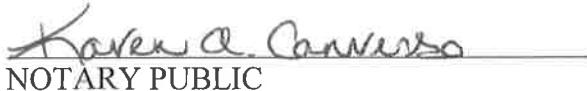
MORGAN & MORGAN NY PLLC  
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The address designated by said attorney for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.



DANIELLE INFANGER

Sworn to before me this  
26<sup>th</sup> day of August 2022.



Karen A. Converso  
NOTARY PUBLIC

KAREN A. CONVERSO  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CO4907647  
Qualified in Suffolk County  
My Commission Expires 10-13-2025